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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,589	05/31/2001	Lawrence Daniel Hogan	3350-81	6560

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EXAMINER
HAVAN, THU THAO

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/867,589	HOGAN, LAWRENCE DANIEL
	Examiner	Art Unit	
	Thu Thao Havan	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>20 April 2005</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-16 and 18-30</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-16 and 18-30</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>31 May 2001</u> is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some *   c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Detailed Action

Response to Amendment

Claims 1-16 and 18-30 are pending. This action is in response to the amendment received April 20, 2005.

Response to Arguments

Applicant's arguments with respect to claims 1-16 and 18-30 have been considered but are moot in view of the new ground(s) of rejection.

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because difficult to read in handwritten format. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims **1-16** and **18-30** are rejected under 35 U.S.C. 102(e) as being anticipated by Kitchen et al. (US 6,289,322).

Re claims **1, 9, 18, 23, 29,** and **30,** Kitchen teaches a method for presenting a bill and associated non-bill information via a network (figs. 1 and 8: *In figure 8, element 840 is a bill and element 850 or 860 are non-bill information*), comprising;

transmitting to a payer, via a network (fig. 1, *network is in element 100*), a bill including a first charge, a second charge, a location identifier of first non-bill information upon which the first charge is based, and a location identifier of second non-bill information upon which the second charge is based (col. 3, lines 15-45; figs. 4-6, 9a, 10a, 14—*In figures 4-6, the first non-bill information is personal information about the customer in figure 5 and the second non-bill information is banking and login info in figure 6*);

receiving from the payer, via the network, a request for at least one of the first non-bill information and the second non-bill information (col. 12, line 55 to col. 13, line 47; figs. 7-8); and

transmitting to the payer, via the network, the requested non-bill information in response to the received request (fig. 9a). *In other words, Kitchen discloses electronic bill processing including non-bill information such as personal data of a customer and login information. The non-bill information is electronically transmitted by a network*

system. The payer received his information by login to the Internet to obtain the necessary information by a linking format.

Re claims **2** and **10**, Kitchen teaches first non-bill information is a first portion of a document and the second non-bill information is a second portion of the same document (figs. 4-6). *In figures 4-6, the first non-bill information is personal information about the customer (figure 5) and the second non-bill information is banking and login information (figure 6).*

Re claims **3, 12, 20,** and **25**, Kitchen teaches document is one of a contract, a tariff, or a warranty (fig. 10a). *In figure 10a, Kitchen displays an example of a contract.*

Re claims **4** and **13**, Kitchen teaches location identifier of the first non-bill information includes a first hyper-link and the location identifier of the second non-bill information includes a second hyper-link, and further comprising: activating at least one of the first hyper-link and the second hyper-link to request non-bill information (col. 10, line 49 to col. 11, line 56; figs. 4-6). *In figures 4-6, Kitchen discloses a hyperlink that a customer can click on to open the personal data to fill out the necessary information. For example, a customer clicks on element 570 "biller name" in figure 4 thus hyperlink him to figure 5 to fill out the personal information.*

Re claims **5, 14,** and **26**, Kitchen teaches the bill, including the location identifier of the first non-bill information and the location identifier of the second non-bill information, is transmitted to the payer by a bill presentment server; and the non-bill information is transmitted to the payer by a non-bill presentment server (figs. 8-9b).

Re claims **6, 15, 21,** and **27,** Kitchen teaches the bill presentment server is associated with a bill presentment service provider and the non-bill presentment server is associated with a biller (col. 12, line 49 to col. 14, line 33).

Re claims **7, 11, 19,** and **24,** Kitchen teaches bill is one of a detailed bill or a summary bill (fig. 9c).

Re claims **8, 16, 22,** and **28,** Kitchen teaches bill further includes a location identifier of non-bill information other than non-bill information upon which a charge is based (col. 16, line 28 to col. 17, line 29).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov/>. Should you have questions on access to the

Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-

free).

TTH
9/29/2005

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